

LAKELAND AREA MASS TRANSIT DISTRICT (LAMTD)

AMENDMENT OF SOLICITATION

1. SOLICITATION #10-012	2. AMENDMENT No. 2	3. ISSUED: 11/02/2010
4. ISSUED BY: Cathy Zickefoose czickefoose@ridecitrus.com		5. NUMBER OF AMENDMENT PAGES: 5
6. <u>AMENDMENT OF SOLICITATION:</u> The solicitation identified in Block 1, is hereby amended as described in Block 9. Except as provided herein (or as to amended in previous amendment), all other provisions of the solicitation, as hereto amended, shall remain unchanged and in full force and effect.		
7. <u>REQUIREMENT TO ACKNOWLEDGE AMENDMENT:</u> Failure of an offeror to acknowledge receipt of this amendment may result in offer rejection. Offeror must acknowledge receipt of this amendment prior to the deadline specified in the solicitation for receipt of offers and by one of the following methods: a. by signing Block 8 and returning this amendment to the District with your Proposal; b. by separate letter or e-mail which includes a reference to this solicitation and amendment numbers.		
8. <u>OFFEROR'S ACKNOWLEDGEMENT OF AMENDMENT:</u> Name & Title: _____ Signature: _____ Offeror: _____ Date: ____/____/____		
9. <u>DESCRIPTION OF THE AMENDMENT:</u> The following modifications are hereby made to the Solicitation document: A. Replace SECTION 2.01 <u>DELIVERY</u> to read: (a) Delivery will be within 8-12 weeks after placement of individual purchase orders. The packing slip shall contain the purchase order number and a detailed listing of all materials shipped. (b) Receiving hours are from 8:00 am to 4:00 pm, Monday through Friday. Deliveries shall be made by flat bed truck or flat bed trailer. Shelters shall be prefabricated and shipped in knock down condition. Parts to be clearly identified and complete instructions are to be provided. All hardware is to be prepackaged in complete kits for each individual shelter. Bill of lading will provide detailed inventory of all hardware and components included in shipment. (c) Manufacturer shall include the cost of freight. Delivery F.O.B. Destination. All deliveries shall be made F.O.B. destination, within the District's premises. The term "F.O.B. destination, within the District's premises," as used in this clause, means free of expense to the District. The delivery sites are located at: Lakeland Area Mass Transit District – Citrus Connection 1110 George Jenkins Blvd. Lakeland, FL 33815 Polk County Fleet Maintenance Attn: Transit Services 2450 Bob Phillips Road Bartow, FL 33830		

B. Replace SECTION 3.01 PROPOSAL FORMAT/CONTENT REQUIREMENTS to read:

The following paragraphs detail the instructions and order to be followed in preparing a response to this RFP. The District reserves the right to reject any Proposal as non-responsive if the Proposal fails to include any of the required information in the specified order. Each part of the Proposal should be clearly labeled and tabbed for easy reference. The Proposal shall be submitted in 8 ½" by 11" format with foldouts utilized as necessary.

To aid in timely, effective review of all Proposals, it is required that each respondent closely follow the format provided below. Additional information, such as company brochures and literature, may be included in the submittal but should be provided as attachments to the Proposal, not part of the Proposal text.

The Proposal must address the items listed herein. Failure by a Proposer to respond to a specific requirement may be a basis for elimination from consideration during the comparative evaluation. The District reserves the right to accept or reject any or all Proposals.

Proposals shall be typed. Proposals should be prepared as simply and economically as possible while providing straightforward, concise information of the Proposer's capabilities to satisfy the requirements of this Request for Proposals. Fancy binding, colored displays, and promotional material, etc. are neither necessary nor desired. Technical literature about the Proposer's experience and qualifications may be included. The emphasis should be on completeness and clarity of content. In order to expedite the evaluations, it is essential that specifications and instructions contained in this RFP be followed as closely as possible.

A. A cover letter on company letterhead transmitting the Proposal must be submitted and dated and limited to one (1) page. The letter must indicate that the Proposer agrees to be bound by the Proposal without modifications, unless mutually agreed to upon further negotiations between the District and the Proposer. The cover letter shall contain a statement that the Proposal is valid for ninety (90) calendar days.

The cover letter shall also contain the company name, address, and telephone number(s) and name, title, address, and telephone number(s) of an individual(s) with authority to bind the Proposer during the period in which the District is evaluating Proposals. The cover letter shall also identify the legal status of the Proposer. If the Proposer is a corporation, the cover letter shall identify the state of incorporation. If a consortium, joint venture or team approach is being proposed, provide the above information for all participating entities. A principal of the Proposer shall sign the cover letter or other person fully authorized to act on behalf of the Proposer.

B. Proposals shall include a "Table of Contents" identifying the page numbers of where to find the various sections included in the Proposal. Other documents to be included in your proposal include:

1. Structural Specifications/Drawings

Proposer shall provide all structural specifications and shop drawings of the shelters including details for accessory components, mounting applications and hardware to ensure all applicable building code standards are met. Describe how your product meets or exceeds the minimum specifications as outlined in 2.02, 2.03, 2.04 and 2.05. One set of drawings shall be included with the proposal.

2. Sample Installation Manual

Complete set installation manual for each shelter proposed

3. Client References

This portion of the proposal should demonstrate the extent to which the Proposer is qualified to perform the scope of work outlined in this RFP. Identify other active shelter contracts that your firm has or have completed in the last five (5) years.

Note: Discovered references not listed may be contacted by the District.

4. Pricing

Form O shall be placed under a separate tab

Please note that the District is bound by a broad public records disclosure law (Chapter 286 *et. seq.*, Florida Statutes, the "Sunshine Act"). If your firm wishes to deem any trade secret information in its submission as proprietary/confidential, please mark "Proprietary/ Confidential Information" or the substantial equivalent thereof on EACH page you wish redacted (withheld) from public records disclosure (Ch. 812.081; 815.04, *et seq.*, Florida Statutes). You must provide the appropriate Florida Statute citation in order for each section to be deemed by the agency as trade secret/confidential, and a written explanation (see appendix Form N).

However, doing so does not guarantee that the district will be able to comply with such a request should your firm provide documents which do not meet the statutory definition of a confidential trade-secret, notwithstanding the aforementioned marking, and/or if a public records requestor successfully challenges the redaction in a court of law. Accordingly, by submitting a proposal, your firm acknowledges the foregoing and consents to holding the district and its employees harmless for necessary disclosures of information pursuant to a properly filed public records request. The District is not liable for necessary and proper disclosures of information pursuant to a properly filed public records request, and by submitting a proposal, your firm consents to this waiver.

C. Replace SECTION 4.0 SELECTION PROCESS in its entirety with the attached Exhibit 1, SECTION 4 SELECTION PROCESS - REVISED:

[END OF AMENDMENT #2]

1. GENERAL INFORMATION

All requirements in this RFP must be satisfied in order to ensure that a Proposal will qualify for consideration. The District and the Source Evaluation Committee (SEC) members will follow the District's Policy and Procedures Manual, as may be amended from time to time. The SEC will be comprised of qualified District staff, the District's board member(s), and other entities' personnel as determined by the District. The District shall make public notice of any and all meetings of the SEC. The selection process will utilize the "Evaluation Criteria" set forth below and in accordance with applicable District's policies and procedures.

2. EVALUATION CRITERIA

The SEC (Source Evaluation Committee) will issue an award based on a best-value determination using the following criteria. The U.S. General Accounting Office acknowledges broad agency discretion in selection. Best-value source selection involves subjective analysis, by its very nature. It cannot be reduced to a mechanical, mathematical exercise. Source selection officials have broad discretion to determine the manner and extent to which they will make use of the technical and price evaluation results in negotiated procurements.

- In deciding between competing proposals, price/technical tradeoffs may be made; the propriety of such tradeoffs turns not on the difference in technical scores or ratings, but on whether the source selection official's judgment concerning the significance of that difference was reasonable and adequately justified in light of the RFP evaluation scheme.
- The discretion to determine whether the technical advantages associated with a higher-priced proposal are worth the price premium exists notwithstanding the fact that price is equal to or more important than other factors in the evaluation scheme.
- In a best-value procurement, an agency's selection of a higher-priced, higher-rated offer should be supported by a determination that the technical superiority of the higher-priced offer warrants the additional cost involved.

The SEC will evaluate the proposals on the criteria listed below. The criteria are itemized with their respective weights for a maximum total of one hundred (100) points per SEC member. A Proposer may receive the maximum points or a portion of this score depending on the merit of its proposal, as judged by the SEC in accordance with the following:

<u>Criteria</u>	<u>Points</u>
1. Structural Specifications/Drawings	25
2. Ease of Assembly	25
3. References (minimum of three)	20
4. Price	30

3. RIGHT OF REJECTION

- a. The District reserves the right to, at any time, and in the District's sole discretion, reject any or all Proposals; waive any informality in such Proposals; to request new Proposals; to revise the RFP; extend the submission date of Proposals; withdraw the RFP; reject all Proposals; not award the Contract; reject a member of the Proposer's team; or not award a portion of the Contract. Revisions to this RFP, if any, shall be made by written addendum.
- b. The receipt of Proposals shall NOT in any way obligate the District to enter into a consultant agreement or contract of any kind with any Proposer.
- c. The notification of an intent to award the Contract to a Proposer does not create a relationship of any kind between the District and the Proposer, and Proposer shall not rely on such notification. Unless explicitly written to the contrary, all Contracts to be awarded by the District require the approval of the District Governing Board and the District general counsel, and no instrument or agreement shall be binding on the District unless approved as required herein.
- d. Conditional proposals or those which take exception to the specifications may be considered non-responsive and may be rejected.

END OF SECTION 4.0